

Q. Am I responsible for a service animal while the person with a disability is in my business?

No. The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or food for the animal.

Q. What if a service animal barks or growls at other people, or otherwise threatens people or other animals?

You may exclude a service animal from your facility when that animal's behavior poses a direct threat to the health or safety of others. However, you may not make assumptions (speculate) about how a particular animal is likely to behave based on your past experience with other animals. Each situation must be considered individually.

Q. Can I exclude a service animal that doesn't really seem to be dangerous but is disruptive?

There may be a few circumstances when an agency is not required to accommodate a service animal – for example, when doing so would result in a fundamental alteration to the nature of the business. For example, when a dog initiates unsolicited contact with people other than its owner (jumping on people, sniffing them, trying to be petted, etc.), the animal can be excluded. Any exclusion must be for reasons that are demonstrable, not speculative.

Q. What if other people complain about the dog's presence?

Explain that the service dog is medically necessary and that federal law protects the right of the person to be accompanied by the service dog in public places.

Q. Must I let in a service animal in training, or a person who does not have a disability who says the animal is trained as a service animal?

No. The ADA and Washington State law do not address service animals that are not yet trained. While you might choose to allow these animals entry, you do not have legal obligations to do so.

For more information, contact:

Seattle Office for Civil Rights
206-684-4543 or TTY 206-684-4503
King County Office of Civil Rights
206-296-7596 or TTY 296-4329

Delta Society National Service Dog Center,
www.deltasociety.org, 800-869-6898

Information was obtained from:

U.S. Department of Justice Civil Rights
Division, Office of the ADA:
"Commonly Asked Questions About Service
Animals" (1996).

Delta Society National Service Dog Center:
"Service Dog Etiquette,"
excerpted from "Facts You Should Know
About Service Dogs" 1996 Rev. 8/96

Information will be provided
in alternative formats to people
with disabilities upon request

Service Animals

A Guide for Public Employees



City of Seattle Greg Nickels, Mayor

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Federal, state and local laws* require that equal access be provided to people with disabilities using service animals. This booklet addresses commonly asked questions about the use of service animals in City programs and services.

Q. What are the laws that apply to Seattle City Government?

The Americans with Disabilities Act (ADA) prohibits state and local governmental agencies from discriminating against individuals with disabilities. In addition, the City of Seattle must provide reasonable modifications to existing policies, practices and procedures to ensure equal access to programs and services. Allowing people with disabilities to be accompanied by their service animals onto premises where animals are usually prohibited is a reasonable modification of policy and practice.

Q. What is a disability?

Federal law defines disability as a sensory, mental, or physical impairment that substantially limits one or more major life activities (such as walking, seeing, working, learning, dressing, etc.).

The State of Washington's definition is much broader. It defines disability as a sensory, mental or physical condition that is medically cognizable or diagnosable, and which includes short-term disabilities.

* The Americans with Disabilities Act (ADA), Washington's State Law Against Discrimination RCW 49.60, and Seattle Municipal Code 14.08

Q. What is a service animal?

The ADA defines a service animal as "any animal that is individually trained to do work or perform tasks for the benefit of a person with a disability." Under the law, a service animal is not considered a pet. The most common service animals are dogs, but other species (for example, a cat or a bird) also can be service animals.

Under the Washington State Law Against Discrimination (RCW 49.60), some service animals-in-training are included under the definition of service animal. According to the Washington State Human Rights Commission, if the service animal-in-training can provide assistance to the individual with a disability, even though other training remains in progress, the animal is considered to be a service animal and is covered by state law.

Q. What does a service animal do?

Guide dogs are one type of service animal, used by some individuals who are blind. Service animals can perform myriad services for someone with a disability, including alerting deaf individuals

to sounds (telephone, doorbell, fire alarms), alerting an individual with seizure disorder to an oncoming seizure, carrying and picking up things for someone who uses a wheelchair, and assisting with balance and opening doors.

Q. How can I tell if an animal is really a service animal and not just a pet?

There are no legal requirements for service animals to be specifically identified. Some (but not all) service animals wear special collars and harness. Some (but not all) are licensed or "certified" and/or have identification papers. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. A public entity cannot require any proof of a person's disability, or identification or certification of the service animal's status.

Q. Can we restrict the areas into which a service animal can go?

Generally, no. The service animal must be permitted to accompany the individual with a disability to all areas of a facility where members of the public are normally allowed to go unless its presence or behavior creates a fundamental alteration or direct threat to safety. An individual with a service animal may not be segregated from others.

Q. Can a Police Officer restrict the areas into which a service animal can go in public?

Generally, no. The service animal must be permitted to accompany an individual with a disability into a place of business, restaurant or anywhere the general public is normally allowed to go, unless its presence or behavior creates a fundamental alteration or direct threat to safety.

Q. What about "no-pets" policies?

Legally, a service animal is not a pet. The ADA and Washington state law require you to modify your "no pets" policy to allow the use of a service animal by an individual with a disability. A "no pets" policy may continue in effect, but you must make an exception to your general rule for service animals.

Q. The county health department has told me that only a guide dog has to be admitted. If I follow those regulations, am I violating the ADA?

Yes – if you refuse to admit any other type of service animal on the basis of local health department regulations or other state or local laws. The ADA provides greater protection for individuals with disabilities and so it takes priority over local or state laws or regulations. There is no evidence that healthy, vaccinated, well-trained service animals are any greater threat to public health and safety than members of the general public are.